

104TH CONGRESS
1ST SESSION

H. J. RES. 20

Proposing an amendment to the Constitution of the United States to provide that appropriations shall not exceed revenues of the United States, except in time of war or national emergency.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. DE LA GARZA introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to provide that appropriations shall not exceed revenues of the United States, except in time of war or national emergency.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, and shall be valid to all*
6 *intents and purposes of the Constitution when ratified by*
7 *the legislatures of three-fourths of the several States:*

1 “ARTICLE —

2 “SECTION 1. Except as provided in section 4, the
3 Congress shall not authorize the withdrawal of funds from
4 the Treasury of the United States during any fiscal year
5 in an amount which exceeds in the aggregate the total
6 amount of the revenues of the United States (exclusive
7 of borrowed sums) for that fiscal year (as determined in
8 accordance with the latest estimates of the President and
9 proclaimed under section 2).

10 “SECTION 2. As soon as practicable after the end of
11 each calendar year, the President shall determine and pro-
12 claim the amount which he estimates will be the total reve-
13 nues of the United States (exclusive of borrowed sums)
14 for the next fiscal year. Such estimated amount shall be
15 revised at least quarterly, and as so revised shall be pro-
16 claimed by the President.

17 “SECTION 3. The President shall annually submit to
18 the Congress a budget which shall be prepared in such
19 a manner as to insure compliance with the first section
20 of this article.

21 “SECTION 4. In time of war declared by the Congress,
22 or in time of grave national emergency requiring expendi-
23 tures in excess of receipts proclaimed by the President,
24 the application of this article may be suspended by a con-
25 current resolution which has passed each House by the

1 affirmative vote of at least two-thirds of the authorized
2 membership of that House and which contains a section
3 substantially as follows:

4 “SECTION . It being now a time of war declared by
5 the Congress (or, a time of grave national emergency pro-
6 claimed by the President, as the case may be), it is the
7 sense of the Congress that the provisions of
8 article of the Constitution of the United States be
9 suspended until .”

10 “No concurrent resolution shall suspend the applica-
11 tion of this article beyond the end of the fiscal year follow-
12 ing the fiscal year in which such resolution is adopted.

13 “SECTION 5. This article shall apply only with respect
14 to fiscal years which begin more than two years after the
15 date on which this article was ratified.

16 “SECTION 6. This article shall be inoperative unless
17 it shall have been ratified as an amendment to the Con-
18 stitution within seven years from the date of its submis-
19 sion.”.

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